

IN RE: PETITION FOR ZONING VARIANCE  
W/S Thackery Avenue, 125' S  
of Tredegar Avenue  
(404 Thackery Avenue)  
1st Election District  
1st Councilmanic District  
James O. Wagner, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-154-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (shed) with a side yard setback of 6 inches in lieu of the required 2.5 feet in accordance with Petitioner's Exhibit 1.

The Petitioners, by James Wagner, appeared and testified. Also appearing on behalf of the Petition was John Horner Bantz, an adjoining property owner. There were no Protestants.

Testimony indicated that the subject property, known as 404 Thackery Avenue, consists of 7,500 sq. ft. zoned D.R. 3.5 and is improved with a single family dwelling and detached garage. Petitioners commenced construction of an addition to the existing garage to store antique cars owned by him. Subsequent to a complaint filed in the Zoning Office by an adjoining property owner, Petitioners received a violation notice and filed the instant Petition in order to correct the error. At the hearing, Petitioner testified he had spoken with all his neighbors who indicated they had no objection to the proposed addition and that he would submit signed documentation of same. Subsequent to the hearing, Petitioner submitted a statement signed by two of his neighbors indicating they had no objection to the requested variance. However, the adjoining neighbor at 406 Thackery Avenue refused to sign a consent and disputed the location of

the garage addition, believing it was partially constructed on her property. It was decided that Petitioners would have the property surveyed to determine the exact location of the property lines.

Richard F. Lane, a registered professional land surveyor, surveyed the property and initially indicated to Petitioners that the subject structure was closer than 6 inches to the property line. Petitioners subsequently relocated the accessory structure and submitted an outline survey plat prepared by Mr. Lane, identified herein as Petitioner's Exhibit A, which verified that the garage addition existed 6 inches from the property line. However, the same plat indicated that in addition to the garage and storage shed, Petitioners had another storage shed, approximately 8' x 12' on the property which did not appear on the original site plan.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, the requested variance should be granted subject to the restrictions set forth hereinafter. In the opinion of the Deputy Zoning Commissioner, the storage shed addition for which the instant variance was requested will provide ample space to meet Petitioners' needs without the necessity for having two storage sheds on the subject property. It is clear from the testimony that if the variance is granted, subject to the restrictions set forth hereinafter, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of May, 1989 that the Petition for Zoning Variance to permit an accessory structure (shed) with a side yard setback of 6 inches in lieu of the required 2.5 feet in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The variance granted herein is limited to the accessory structure (storage shed) addition to the existing garage, and is conditioned upon Petitioners' removal of the shed shown in Petitioner's Exhibit A with the dimensions of 12.3' x 8.3' being removed within sixty (60) days of the date of this Order.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

ORDER RECEIVED FOR FILING

Date: 5/23/89  
By: [Signature]

ORDER RECEIVED FOR FILING

Date: 5/23/89  
By: [Signature]

ORDER RECEIVED FOR FILING

Date: 5/23/89  
By: [Signature]

ORDER RECEIVED FOR FILING

Date: 5/23/89  
By: [Signature]

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(410) 887-3333

J. Robert Haines  
Zoning Commissioner

May 2, 1989



Mr. & Mrs. James O. Wagner  
404 Thackery Avenue  
Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE  
W/S Thackery Avenue, 125' S of Tredegar Avenue  
(404 Thackery Avenue)  
1st Election District - 1st Councilmanic District  
James O. Wagner, et ux - Petitioners  
Case No. 89-154-A

Dear Mr. & Mrs. Wagner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

cc: Mrs. Patricia Heimmüller  
406 Thackery Avenue, Baltimore, Md. 21228

People's Counsel

File

April 19, 1989

RECEIVED  
MAY 19 1989  
ZONING OFFICE

Mrs Ann M. Nastarowicz, Deputy Zoning Commissioner  
Baltimore County Zoning Commissioner  
Office of Planning & Zoning  
Towson, MD 21204

Re: Petition for Zoning Variance  
Case No. 89-154-A  
James D. Wagner, et ux - Petitioners

Dear Mrs. Nastarowicz:

In response to your most recent correspondence of March 6, 1989, concerning the above referenced zoning variance; Mr. Wagner sent to me on April 12th a copy of the outline survey plat completed by Shanberger & Lane of Ellicott City Md. on April 7, 1989. The original survey of March 16, 1989, did in fact show that the shed constructed on Mr. Wagner's property violated my property by some inches. Since the original survey, Mr. Wagner has altered the shed twice, once on Saturday, March 18th and again on the week following.

The final survey team was on the property April 6, 1989, when I spoke to them. At the present time, the altered shed is in fact some 6 inches off the property line. However, the present concrete is in rough form and not complete. If the completed shed remains within the confines of your stipulated 6 inches, then I am satisfied as all I ever wanted was to be sure that the building did not violate my property.

Sincerely,

[Signature]  
Patricia A. Heimmüller

406 Thackery Avenue  
Catonsville, Maryland 21228

puh

cc: Mr. James Wagner

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-154-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 of the Zoning Regulations of Baltimore County to allow an accessory structure (shed) with a sideyard setback of 6 inches in lieu of the required 2.5 ft.

This is the only side to attach a storage shed to the existing garage, since the opposite side has a huge oak shade tree adjacent. The area in question is currently unusable and is not open space, since it lies between two garages - ours and the garage of 404 Thackery.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

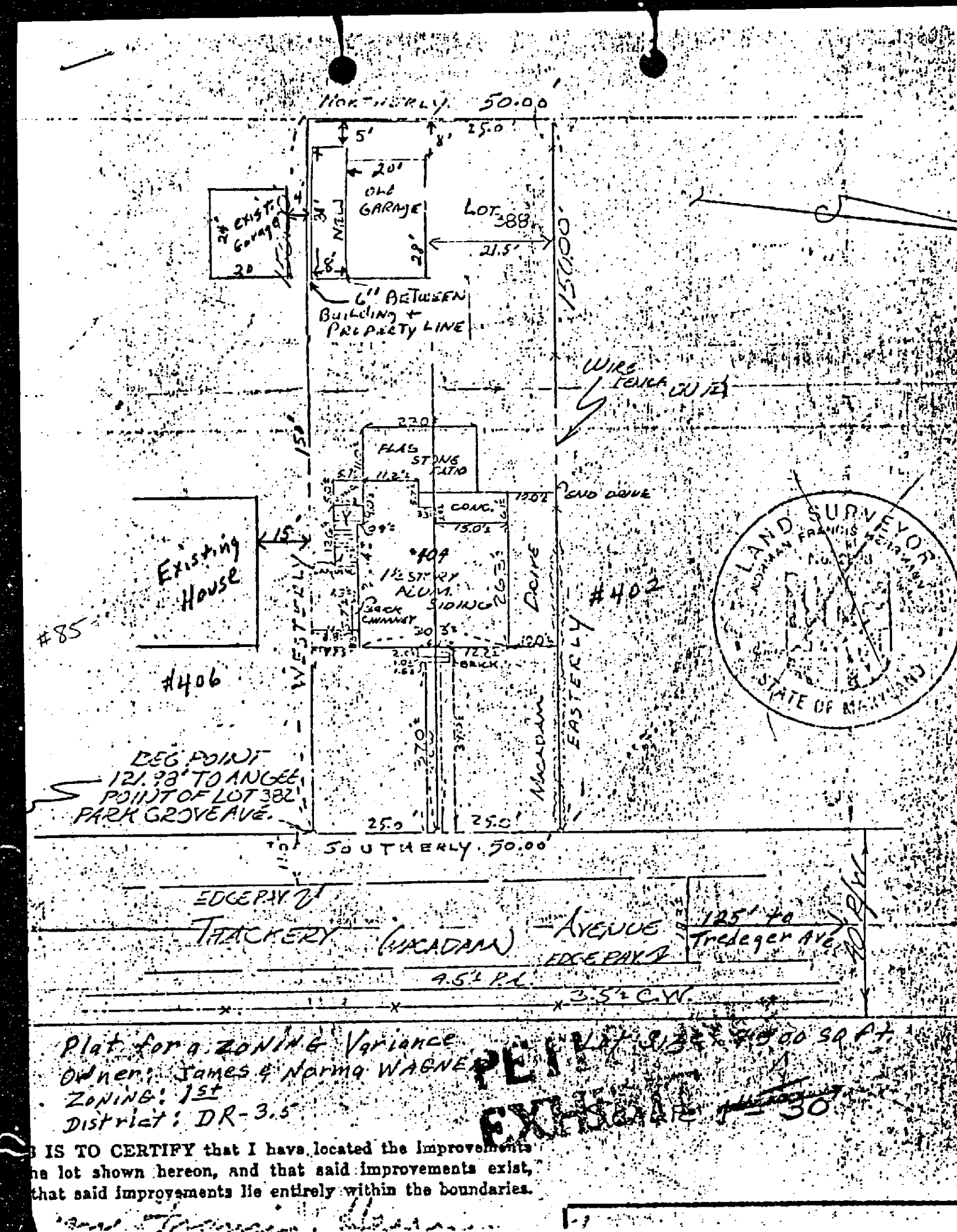
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	James O. Wagner
Signature	[Signature]
Address	Norma Jean Wagner
City and State	(Type or Print Name)
Signature	[Signature]
Attorney for Petitioner:	404 Thackery Avenue 788-8526
(Type or Print Name)	Address
Signature	Baltimore, Md. 21228
Address	City and State
City and State	Name, address and phone number of legal owner, tract purchaser or representative to be contacted
Attorney's Telephone No.:	James O. Wagner
	404 Thackery Avenue Baltimore, Md. 788-8526
	Address
	21228
	Phone No.

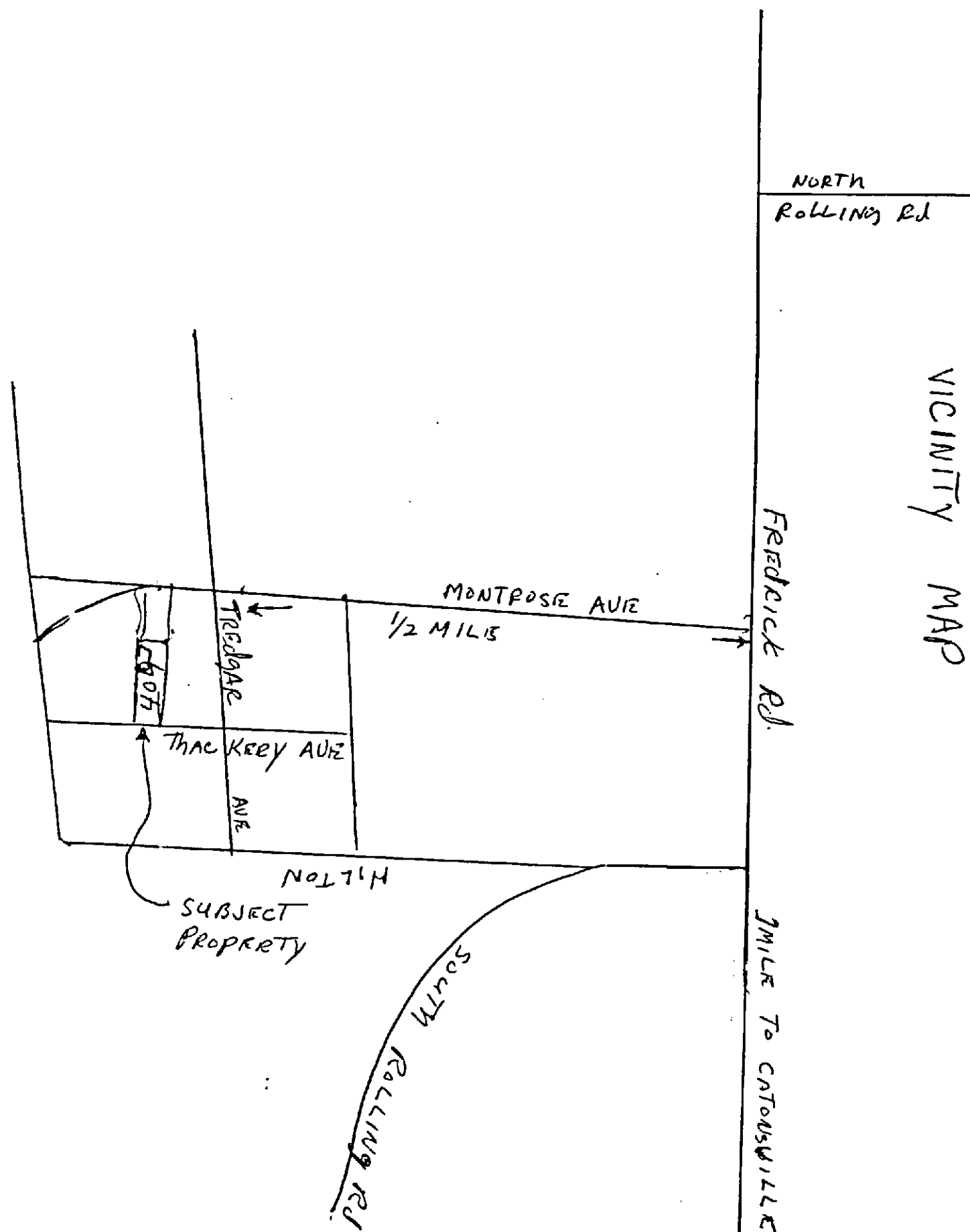
ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October, 1988, at 2 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

(over)







#85

all that lot or parcel of ground situate and lying in Baltimore County, Maryland, now known as No. 404 Thacker Court, and described as follows, that is to say:

BEGINNING for the same at an iron pipe driven in the ground on the west side of Thacker Avenue 40 feet wide at a distance of 125 feet southerly measured along the said west side of Thacker Avenue from the corner formed by the intersection of the west side of said Thacker Avenue and the south side of Tredegar Avenue 60 feet wide and running thence from said place of beginning east 50 feet to an iron pipe thence leaving the said west side of Thacker Avenue and running south 82 degrees 30 minutes east parallel to said Tredegar Avenue 150 feet to a stake; thence north 7 degrees 30 minutes west 50 feet to an iron pipe; thence north 82 degrees 30 minutes east parallel to the second line of this description 150 feet, more or less, to the place of beginning.

BEING Lots Nos. 387 and 388 as shown on a Plat of Oak Forest Park, which Plat is duly recorded among the Land Records of Baltimore County in Plat Book Thacker Avenue.

Ann Nastarowicz  
Baltimore County  
Deputy Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
Case No. 89-154-A

Dear Ms. Nastarowicz:

Enclosed is the requested property survey indicating the structure in question located 6 inches on our side of the property line.

Before construction began, Mr. Wagner asked the three adjacent neighbors if they would object to a storage shed located close to property lines. If any of the three neighbors had expressed verbal opposition at that time, he would not have pursued the matter. None of the adjacent neighbors, including Ms. Heinmuller, indicated any objection at that time or later at the public hearing, October 21, 1988. Mr. Wagner therefore, did not anticipate a problem obtaining the written consent which you requested. Ms. Heinmuller has subsequently declined written confirmation.

Hopefully we have provided the information which you requested. If not, please contact me. Thank you for your consideration in this matter.

Yours truly,

Jean Wagner  
Jean Wagner

4/4/89 TL Mes Wagner  
Plot must be on 6" for property  
House must be on plot -  
Copy of the Plot to Heinmuller  
Original signed plot

Mr. & Mrs. James D. Wagner  
March 6, 1989  
Page 2

Please advise me of the status of this matter. If no word is heard from you within fifteen (15) days of the date of this letter, it is my intention to issue a decision in this matter based upon the evidence presented thus far.

If you have should have any questions on the subject, please do not hesitate to contact me. Thank you for your attention in this matter.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

cc: Mrs. Patricia Heinmuller  
406 Thacker Avenue  
Baltimore, Maryland 21228

Case File

November 15, 1988

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
Baltimore County Zoning Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Nastarowicz:

This letter is in response to your request for signatures regarding case No. 89-154-A.

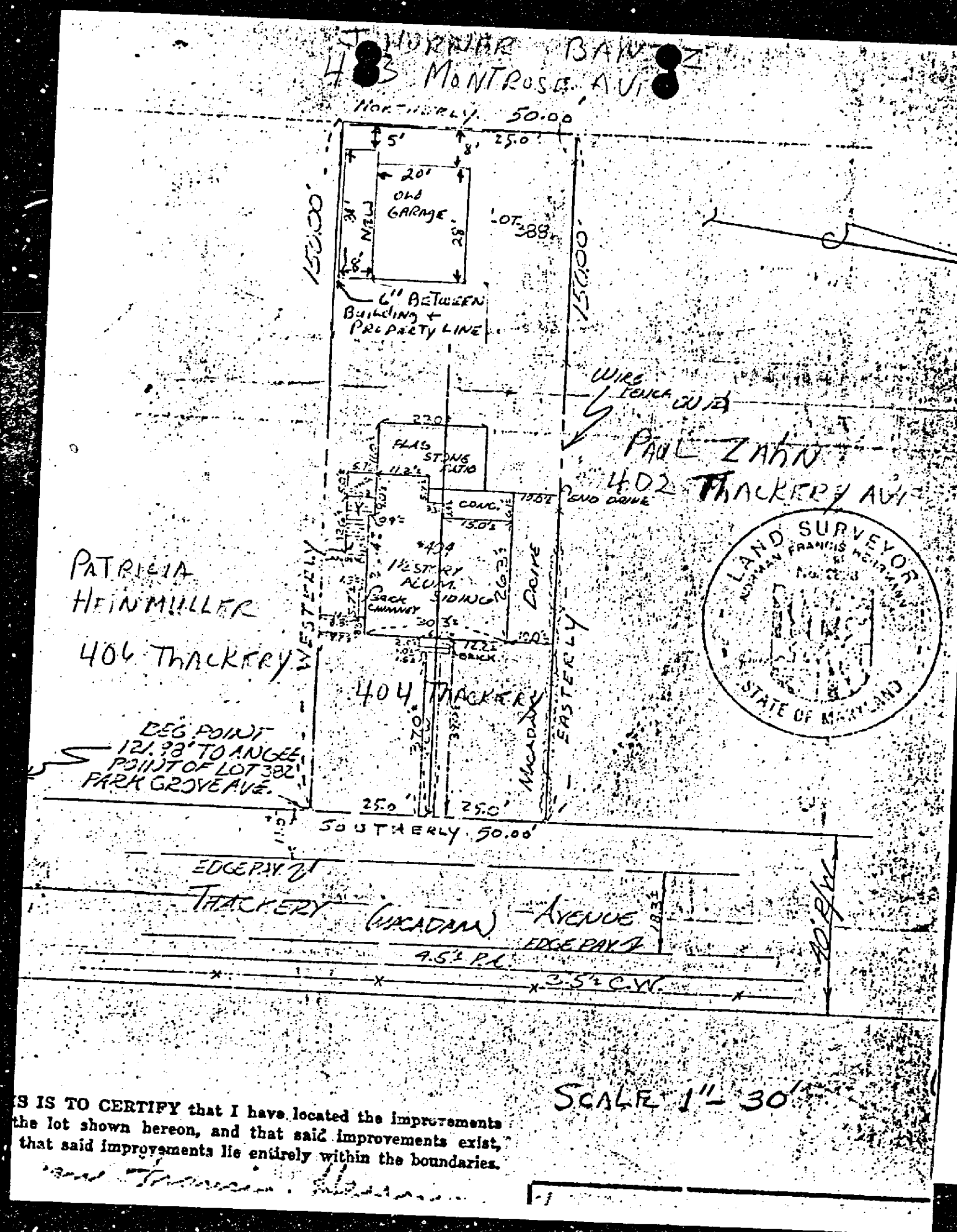
The undersigned residents of properties adjacent to 404 Thacker Avenue do not object to the construction of a storage shed on this property. This structure is attached to the existing garage.

Paul R. John 402 Thacker Ave (301-747-9398)  
John R. John 403 Thacker Ave 747-7467

Sincerely,

James Wagner  
404 Thacker Avenue  
Baltimore, Maryland 21228

RECEIVED ZONING OFFICE  
DATE: 11/15/88



# CERTIFICATE OF PUBLICATION

FRIDAY, SEPTEMBER 29

SALES & LEGAL NOTICES

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 2:00 p.m.

Petitioner: James D. Wagner, et ux  
Hearing Date: Friday, Oct. 21, 1988 at 2:00 p.m.

Variance to allow an accessory structure (shed) with a maximum setback of 8 inches in rear of the lot. In the event that this Petition is granted, a building permit may be issued within the 180-day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
9400 Sept. 29

TOWSON, MD., Oct. 18, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Sept. 29, 1988.

THE JEFFERSONIAN,

Publisher

# CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1st Date of Posting: October 3, 1988

Posted for: Variance

Petitioner: James D. Wagner, et ux

Location of property: 404 Thacker Avenue, 125' S. of Tredegar Avenue

Location of Sign: In front of 404 Thacker Avenue

Remarks:

Posted by: J. J. Haines

Number of Signs: 1 Date of return: October 7, 1988

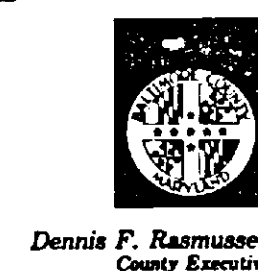


Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 10/18/88

Mr. & Mrs. James O. Wagner  
404 Thacker Avenue  
Baltimore, Maryland 21228



Re: Petition for Zoning Variance  
CASE NUMBER: 89-154-A  
US Thacker Avenue, 125' S Tredegar Avenue  
(404 Thacker Avenue)  
1st Election District - 1st Councilmanic  
Petitioner(s): James O. Wagner, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Wagner:  
Please be advised that \$75.05 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 111 Chesapeake Avenue, Baltimore, Maryland 21204, 5 minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 059088

and post set(s), there  
or each set not

DATE: 10/21/88 ACCOUNT: R-01-615-000

AMOUNT: \$75.05

RECEIVED BY: James O. Wagner

89-154-A

FOR: Posting and Advertising 10/21/88 Hearing

8 B 0744444475044 0216

VALIDATION OR SIGNATURE OF CASHIER

DATE: 10/21/88

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

September 15, 1988

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-154-A  
US Thacker Avenue, 125' S Tredegar Avenue  
(404 Thacker Avenue)  
1st Election District - 1st Councilmanic  
Petitioner(s): James O. Wagner, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 2:00 p.m.

Variance to allow an accessory structure (shed) with a sideyard setback of 6 inches in lieu of the required 23 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. James Wagner  
File

### ZONING ENFORCEMENT SECTION

TELEPHONE: 494-3351

### CORRECTION NOTICE FOR ALLEGED ZONING VIOLATION

CASE NUMBER C- 89-154  
LOCATION: 404 Thacker Ave  
ELECTION DISTRICT: 1

PLEASE BE ADVISED THAT AN INSPECTION OF THE ABOVE REFERENCED LOCATION REVEALED:  
☐ THERE WAS NO VIOLATION OBSERVED AND THE CASE WILL BE CLOSED.  
☒ THERE IS AN APPARENT VIOLATION AND THE FOLLOWING CORRECTION IS REQUIRED:

1. Stop having a junkyard on the property
2. You must begin the process for a zoning variance as you have 40% of your yard in accessory structures or structures that you do not
3. You must begin the process for a zoning variance as the shed is less than 6" from the property lines

FAILURE TO COMPLY BY 8/29/88 WILL RESULT IN THE ISSUANCE OF A CITATION WHEREIN YOU ARE SUBJECT TO A CIVIL PENALTY OF \$200.00 FOR EACH VIOLATION, AND EACH DAY SHALL BE CONSIDERED A SEPARATE VIOLATION (CIVIL PENALTY BILL #132-85).

☐ COMPLIANCE HAS BEEN ATTAINED AND THE CASE WILL BE CLOSED.

INSPECTOR: Derek Propolis  
COPIES: WHITE - Defendant Original  
GREEN - Defendant Duplicate  
YELLOW - Complainant

DATE: 7/27/88

PINK - File  
GOLD - Inspection Report

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

June 28, 1989

Mr. and Mrs. James O. Wagner  
404 Thacker Avenue  
Baltimore, Maryland 21228

RE: Case No. C-89-158  
404 Thacker Avenue  
1st Election District

Dear Mr. and Mrs. Wagner:

In response to the requirements of 89-154-A, I inspected your property on June 27, 1989. The storage shed that was to be removed has been removed. You now satisfy all the requirements as set forth in the order. You should be able to proceed with your building permit.

If any questions arise, I can be reached at 887-8095.

Sincerely,

DEREK PROPOLIS  
Zoning Inspector

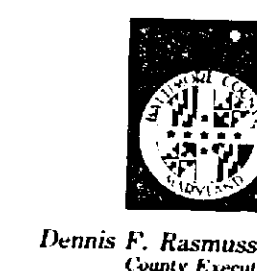
DP:ls

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

November 21, 1988

Mr. James Wagner  
404 Thacker Avenue  
Baltimore, Maryland 21228



RE: Petition for Zoning Variance  
W/S Thacker Avenue, 125' S of Tredegar Avenue  
(404 Thacker Avenue)  
1st Election District - 1st Councilmanic District  
James D. Wagner, et ux - Petitioners  
Case No. 89-154-A

Dear Mr. Wagner:

I am in receipt of your correspondence dated November 15, 1988 on the above-captioned matter in which you obtained approval signatures from neighboring property owners as to your request for a storage shed on the subject property.

It is my understanding that the survey of your property has not yet been completed and that your neighbor at 406 Thacker Avenue has refused to grant approval until said survey is complete. Please be advised that I will withhold rendering a decision in this matter until such time as you obtain written approval from Ms. Patricia Heimmuller of 406 Thacker Avenue.

Your consideration in this matter will be appreciated.

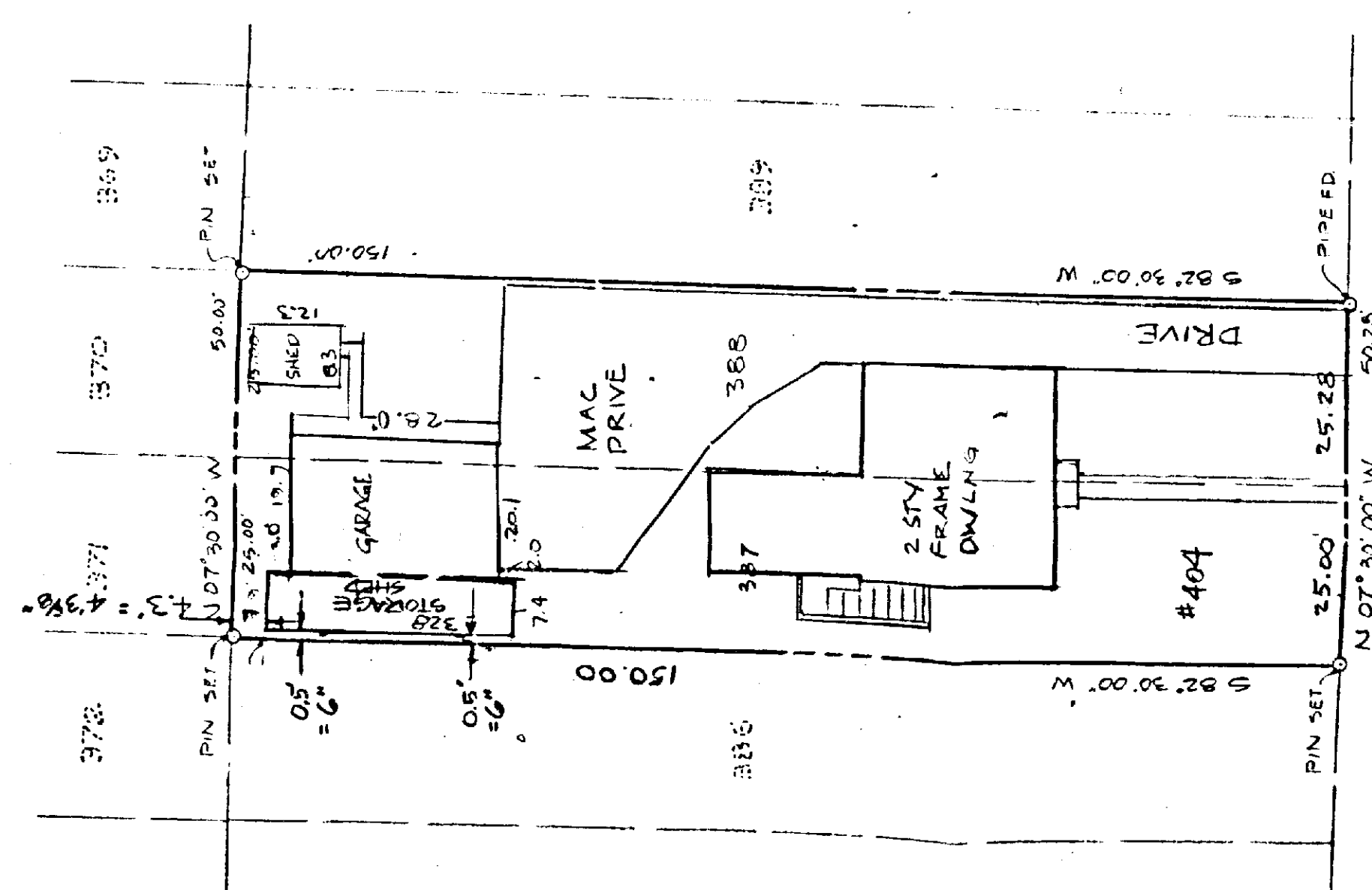
Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Ms. Patricia Heimmuller  
406 Thacker Avenue  
Baltimore, Maryland 21228

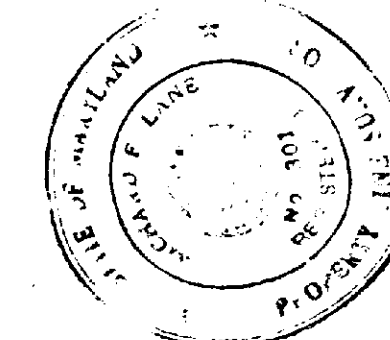
Case File



THACKER AVE. (40' R/W)

Rebuck's Lot A

OUTLINE SURVEY PLAT  
OAK FOREST PARK  
LOTS 387 & 388  
PLAT BOOK NO. 5, FOLIOS 20 & 21  
TAX MAP 100 TAX MAP PARCEL NO. 34  
1st ELECTION DISTRICT  
BALTIMORE COUNTY, MD.  
SCALE: 1" = 20'  
DATE: MARCH 12, 1989  
REV: MARCH 27, 1989



SHANABGER & LANE  
8726 TOWN & COUNTRY BLVD.  
SUITE 107  
ELLICOTT CITY, MD. 21043  
(301) 461-7543

Richard F. Lane, V.P.  
RICHARD F. LANE, V.P.



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

J. Robert Haines  
TO: Zoning Commissioner  
Date: October 24, 1988  
Pat Keller, Deputy Director  
FROM: Office of Planning and Zoning  
SUBJECT: Zoning Petition Nos. 89-147-A (Manning); 89-154-A (Wagner);  
89-156-A (Wagandt); and 89-162-SPH (Conkel)

The Office of Planning and Zoning has no comment on the above petitions, subject to:

- The variances shall only apply to the structure as shown (size and location) and will not be uniformly applied to the lot. The variances will not be applied to any substantial deviation from the construction as shown.

PK/sf

89-154-A

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
7th day of September, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner James O. Wagner, et ux  
Petitioner's Attorney  
Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 10, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

## MEMBERS

Bureau of  
Engineering  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial  
Development

Mr. & Mrs. James O. Wagner  
404 Thackery Avenue  
Baltimore, Maryland 21228

RE: Item No. 85 - Case No. 89-154-A  
Petitioner: James O. Wagner, et ux  
Petition for Zoning Variance

Dear Mr. &amp; Mrs. Wagner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer/dt*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

September 12, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: James O. Wagner, et ux

Location: W/S Thackery Avenue, 125' S. of Tredegar Avenue  
404 Thackery Avenue

Item No.: 85

Zoning Agenda: Meeting of 9/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- ( ) 2. A second means of vehicle access is required for the site.

- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- ( x ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

- ( ) 6. Site plans are approved, as drawn.

- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. Joseph Kelly* 9-13-88  
Planning Group  
Special Inspection Division

Noted and  
Approved:

Fire Prevention Bureau

/j1